BILL NO. Z-85-09-14

ZONING MAP ORDINANCE NO. Z-Lash

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N-6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3-B (General Business) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lot #3 in J.W. Smith's Addition recorded in Deed Record 61, page 395;

and the symbols of the City of Fort Wayne Zoning Map No. N-6, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Charles B. Redd
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

BOR
BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Redd, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____.M.,E

DATE: 9-24-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. ~~PASSED~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	2	7			
BRADBURY		✓			
BURNS	✓				
EISBART		✓			
GiaQUINTA		✓			
HENRY		✓			
REDD		✓			
SCHMIDT	✓				
STIER		✓			
TALARICO		✓			

DATE: 10-22-85

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. _____ on the _____ day of _____, 19____,

ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____ at the hour of _____ o'clock _____.M.,E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____ 19____, at the hour of _____ o'clock _____.M.,E.S.T.

WIN MOSES, JR., MAYOR

Prescribed by State Board of Accounts

...E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

Check # 19544

COMMUNITY DEVELOPMENT & PLANNING

№ 12083

FT. WAYNE, IND., 8/16 19 85

RECEIVED FROM L + H Plumbing $ 50.00

THE SUM OF Fifty 00/100 DOLLARS

ON ACCOUNT OF Rezone - 1811 E. Washington

B. Steele

AUTHORIZED SIGNATURE

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Lloyd B Hinsch & BRENDA S. HINSCH
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an ~~RESIDENTIAL~~ R-3 District to a/an B3-B District the property described as follows:

Lot 3# in J.W. Smith's Addition recorded in Deed record 61 page 395. 1811 E Washington Blvd

RECEIVED
AUG 16 1985
FORT WAYNE
CITY PLAN... COMMISSION

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

Plumbing shop or office for Doctor
(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Lloyd B Hinsch	1605 Crescent Ave	Lloyd B Hinsch
Brenda S. Hinsch	1605 Crescent	Brenda S. Hinsch
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____.
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinan being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whic it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matt for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

Lloyd B Hinsch	1605 Crescent Ave 46805	422-1652
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearir approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 24, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-09-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 16, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 23, 1985.

Certified and signed this
24th day of September 1985.

Melvin O. Smith
Secretary

ORIGINAL

Admn. Appr. _____

DIGEST SHEET

ORIGINAL

3-85-09-14

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 1811 E. Washington Blvd. #1

EFFECT OF PASSAGE Property is now zoned R-3 - Multi-Family Residential. Property will become B-3-B - General Business.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multi-Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

FACT SHEET

Z-85-09-14

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

1811 E. Washington Blvd.

Reason for Project

Expand plumbing business on adjacent lot and build a doctor's office on rear of property in question.

Discussion (Including relationship to other Council actions)

September 16, 1985 - Public Hearing

Lloyd Hinsch, petitioner stated that he wanted the rezoning because it would coincide withthe lots that he owns on the corner which are B-3-B and on that corner is a doctor's office and a plumbing office. He stated that they would like to extend their plubming office onto the lot in question and also build a doctor's office on the rear of the property. He stated that there is only one residence in the whole block and that is across the street from Falstaff. He stated he had spoken with the property owner of the residence and they had no objections to his plans. He stated that he also owns all of the adjoing lots to the corner.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Lloyd Hinsch **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☐ For ☒ Against **Reason Against** -adverse impact on area -approval would lead to deterioration of residences
Board or Commission Recommendation	**By** ☐ For ☒ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

September 23, 1985 - Business Meeting

Motion to deny was made and carried.

Of the 7 members present 6 voted in favor of denial one (1) did not vote.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** August 16, 1985

Projected Completion or Occupancy **Date** September 24, 1985

Fact Sheet Prepared by **Date** September 24, 1985

Patricia Biancaniello

Reviewed by **Date**

Gary Barker 9/25/85

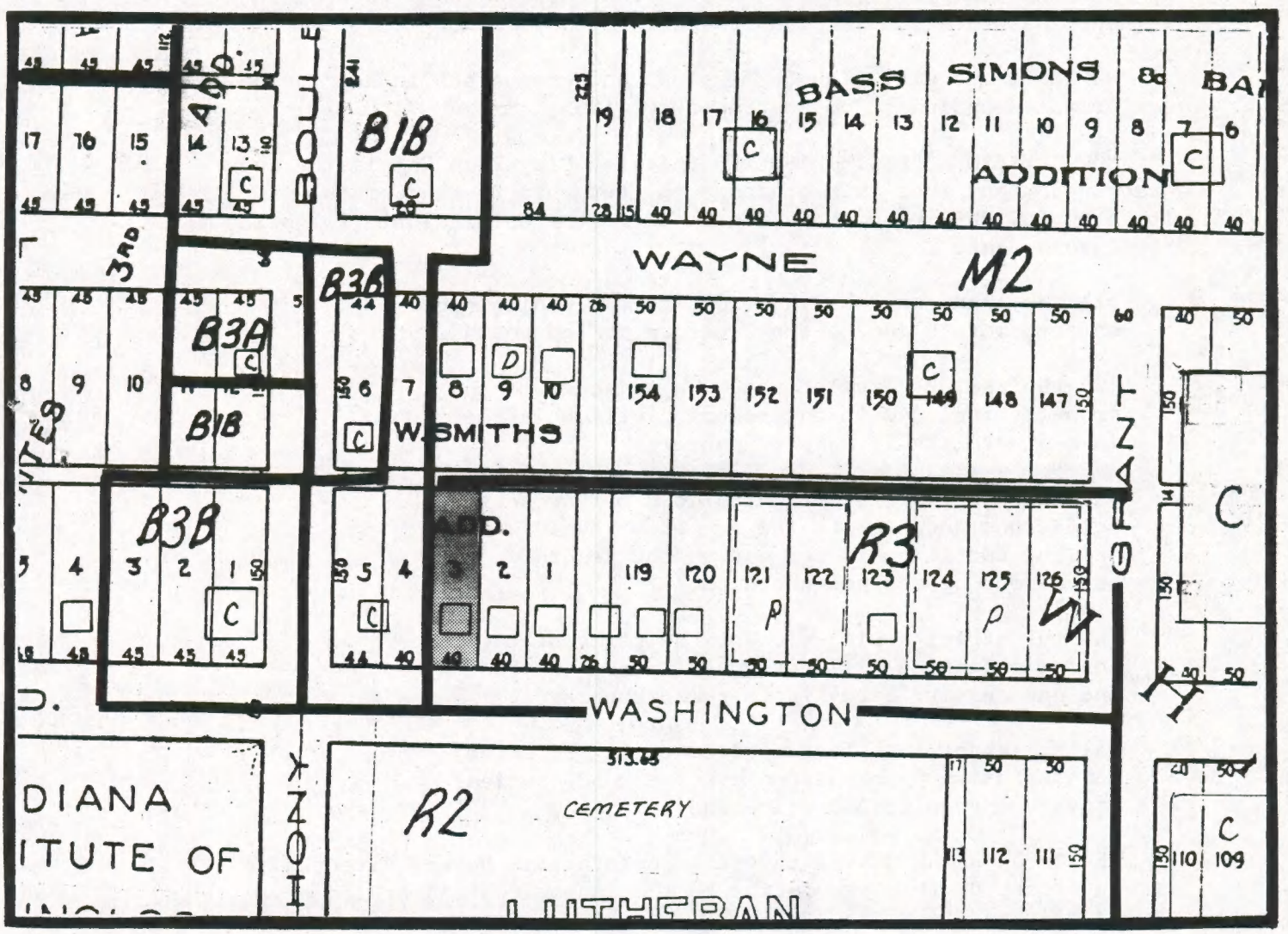
Reference or Case Number

ZONING PETITION #152

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R3 DISTRICT TO AN B3 DISTRICT.

MAP NO. N-6 BILL NO. Z-85-09-14

COUNCILMANIC DISTRICT NO. 1



Zoning:

- R2 RESIDENTIAL DISTRICT
- R3 RESIDENTIAL DISTRICT
- B1B LIMITED BUSINESS 'B'
- B3A GENERAL BUSINESS 'A'
- B3B GENERAL BUSINESS 'B'
- M2 GENERAL INDUSTRY

Land Use:

- □ SINGLE FAMILY
- [D] DUPLEX
- [C] COMMERCIAL
- P PARKING

NORTH

L.W.

Scale: 1"=165'

Date: 8-27-85

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Certified and signed this
24th day of September 1985.

Melvin O. Smith
Secretary

BILL NO. Z-85-09-14

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending the City of Fort Wayne Zoning Map No. N-6

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

YES		NO
	CHARLES B. REDD CHAIRMAN	Charles B. Redd
	JANET G. BRADBURY VICE CHAIRWOMAN	Janet G. Bradbury
	JAMES S. STIER	James S. Stier
	BEN A. EISBART	Ben A. Eisbart
	DONALD J. SCHMIDT	

CONCURRED IN 10-22-85

SANDRA E. KENNEDY
CITY CLERK